

Appln. No. 10/681,397
Amendment dated September 26, 2005
Reply to Office Action dated June 24, 2005

Remarks/Arguments

The foregoing amendments and these remarks are in response to the Office Action, dated June 24, 2005. This Amendment is timely filed.

At the time of the Office Action, claims 1-17 were pending in the application. Claims 1 and 3 were rejected under 35 U.S.C. § 102. Claim 2 was rejected under 35 U.S.C. § 103. Claims 4-17 were allowed.

Claims 1-19 are pending. Claims 1 and 3 are amended herein; claims 2 and 4-17 remain as originally presented. Claims 18 and 19 are new.

Rejections Under 35 U.S.C. § 102

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,127,988 to Becker ("Becker"). It is respectfully submitted that claim 1, as amended, overcomes the rejection. Claim 1 now recites that the step of routing at least a portion of the air exiting the compressor section to the rotor and discs of the turbine section is performed selectively. That is, the step of routing compressor exit air in the manner recited in claim 1 is performed under certain conditions and not performed under others. More particularly, the routing is performed when the turbine engine is operating under a substantially steady state condition, but the step is not performed when the engine is operating under a transient condition.

Becker does not teach or even contemplate routing compressor exit air in a selective manner. Indeed, as correctly noted in the Office Action, "Flow path 8 [in Becker] includes no closure means so it will supply air to the turbine during all modes of operation, including (sic) steady state and base load operation." Thus, Becker does not teach each step of claim 1. Thus,

Appln. No. 10/681,397
Amendment dated September 26, 2005
Reply to Office Action dated June 24, 2005

for at least this reason, it is respectfully submitted that the rejection of claim 1 based on Becker has been overcome.

Dependent Claims

Because claim 1 has been distinguished over Becker, its dependent claims 2 and 3 are necessarily distinguishable over Becker as well. Therefore, a discussion of these claims and the Pratt & Whitney Publication is moot.

New Claims

Applicant presents new claims 18 and 19 herein to further define specific examples of transient conditions in which the selectively routing step is not performed. These claims depend from claim 1. Thus, for all of the reasons set forth in connection with claim 1 above, there claims distinguish over Becker and the other prior art references of record.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's allowance of claims 4-17.


Appln. No. 10/681,397
Amendment dated September 26, 2005
Reply to Office Action dated June 24, 2005

Conclusion

In light of the foregoing, it is respectfully submitted that the rejections set forth in the Office Action have been overcome. Accordingly, Applicant respectfully requests that the Examiner reconsider the claims currently pending in the application; withdraw the rejections under 35 U.S.C. §§ 102 and 103; allow the pending claims; and promptly issue a timely Notice of Allowance.

Respectfully submitted,

Date: 9/26/2005


Joseph W. Bain, USPTO Reg. No. 34,290
Mark M. Zylka, USPTO Reg. No. 48,518
AKERMANN SENTERFITT
P.O. Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000
Facsimile: (561) 659-6313